

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 13-20348

v.

Hon. John Corbett O'Meara

D-1 CHARLES MCRAE,
D-2 CECIL KENT, JR.,
D-3 ALVIN WILLIAMS,

Defendants.

**ORDER GRANTING MOTION
TO ADJOURN TRIAL**

Before the court is Defendant Charles McRae's motion to adjourn trial, filed September 6, 2015. Trial is currently scheduled for September 28, 2015. Defendant's counsel, Patrick Cleary, seeks an adjournment of sixty days because of his health condition. Defendant Cecil Kent, Jr., concurs in this request, and suggests a new date after November 16, 2015, as a result of his attorney's trial schedule. Defendant Alvin Williams continues to seek a severance as a result of his own health condition. The government has expressed concern regarding the adjournments in this matter and requests that trial be rescheduled for October 27, 2015, with no further delays permitted.

The court finds that the interests of justice require that trial be adjourned, because attorney Cleary is unable to proceed. The new trial date is **April 11, 2016**. The time period between the date of this order and April 11, 2016, shall be considered excludable delay pursuant to 18 U.S.C. § 3161, as the ends of justice served by this delay outweigh the interests of Defendants and the public in a speedy trial. The court will again deny Defendant Williams's motion for severance without prejudice, to be revisited closer to the new trial date. Williams may provide a supplemental brief regarding his medical condition by **March 21, 2016**, and the government shall respond by **March 28, 2016**.

SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: September 22, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, September 22, 2015, using the ECF system.

s/William Barkholz
Case Manager